



महाराष्ट्र शासन राजपत्र

भाग दोन-संकीर्ण सूचना व जाहिराती

वर्ष ५, अंक ४७]

गुरुवार ते बुधवार, जानेवारी १६-२२, २०१४/पौष २६-माघ २, शके १९३५

[पृष्ठे ३२, किंमत : रुपये १५.००

प्राधिकृत प्रकाशन

संकीर्ण सूचना व जाहिराती

Serial No. 374

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION No. 409 OF 2013

In the matter of Companies Act, 1956 ;

And

In the matter of Petition under Sec.
433(e), 434 and 439 of the
Companies Act, 1956 ;

And

In the matter of Petition for Winding
up against M/s. Skylark
Infraprojects Pvt. Ltd., a company
duly registered under the
provisions of the Companies Act,
1956, bearing Registration CIN
No. U45209MH2006PTC022185,
having its registered office at 314,
Sintchan Nagar, 208/209, Ashok
Nagar, Pune 411 020,
Maharashtra, India.

.. Company.

M/s. Bhuleshwar Steel & Alloys Pvt.
Ltd. A Company duly registered
under the Companies Act, 1956,
having its registered Office at Gat
No.233, Pune-Solapur Road,
Village Yawat, Taluka Daund,
Pune 412 214.

.. Petitioner.

Advertisement of Petition

A Petition under section 433(e), 434, 439 for
winding up of the abovenamed Company
presented by the Petitioner hereinabove in the

Hon'ble Court of Bombay on 13th June, 2013
creditor or the Company and the said Petition was
admitted on 11th December, 2013 and now the
same is fixed for hearing before the Company
Judge on 29th January, 2014 at 11.00 a.m. in
forenoon or soon thereafter.

Any person/creditors and/or contributory
desirous of supporting or opposing the said Petition,
should send to the Petitioner or his Advocate at
his office address mention hereinunder a Notice of
his intention signed by him or his Advocate with
full name and address, so as to reach the Petitioner
or his Advocate not later than five days before the
date fixed for hearing of the Petition and appear
at the hearing for the purpose in person or by his
Advocate.

A copy of the Petition will be furnished by the
Petitioner's Advocate on payment of the prescribed
charges for the same.

Any Affidavit intended to be used in opposition
to the Petition, should be filed in Court and a copy
thereof served on the Petitioner's Advocate, not
less than five days before the date fixed for
hearing.

Bombay dated this 26th December 2013.

GIRISH B. KEDIA,
Advocate for Petitioner.

202, 2nd floor, Samruddhi
Apartment, Behind Adarsh
Petrol Pump, Playground Road,
Opp. Parle College, Vile Parle East,
Mumbai 400 057.

Serial No. 375

MCX STOCK EXCHANGE LIMITED

Regd. Office : Exchange Square, CTS No. 255, Suren Road, Andheri (East), Mumbai 400 093.

As per the requirements of Rule 18 of the Securities Contracts (Regulation) Rules, 1957, the proposed amendment to the Bye-laws of MCX Stock Exchange Limited, as given hereunder, is published for criticism in accordance with the provisions of section 23 of the General Clauses Act, 1897 in the *Gazette of India*. Any person having any observations on the proposed amendment to the Bye-laws can send the same in writing to the undersigned at the Exchange Square, CTS No. 255, Suren Road, Andheri (E.), Mumbai 400 093 within fifteen days from the date of this publication in the *Gazette*. The observations received after the aforementioned date will not be considered when the amendment will be taken for finalisation.

Subject to SEBI's approval, it is proposed to make the following amendment in the Bye-laws of the Exchange :—

AMENDMENTS TO BYE-LAWS OF THE EXCHANGE

I. After Chapter XIII, the following Chapter shall be inserted, namely :—

“Chapter XIII-A - Investor Grievance Redressal Mechanism

1. Definitions

(a) ‘Committee Member’ shall mean a member of the Investor Grievance Redressal Committee.

(b) ‘Investor’ or ‘constituent’ shall mean a person who has traded on the Exchange and is constituent of a Member.

(c) ‘Investor Grievance Redressal Committee’ or ‘IGRC’ shall mean Committee constituted by the Board or the Relevant Authority for the purposes of redressal of investor grievances.

(d) ‘Regional Investor Service Centre’ or ‘RISC’ shall mean Centers specified at various locations by the Relevant Authority for redressal of investors grievances among other things, from time to time.

(e) ‘Member’ shall mean a Member of the Exchange and include a Stock Broker, Trading Member and Clearing Member.

2. Cognizance and Redressal of Complaints by RISCs/IGRC

(1) Any constituent having a grievance against a Member may make a complaint in such physical or electronic form as may be specified by the Relevant Authority.

(2) The Relevant RISC shall take cognizance of valid complaints containing the necessary particulars in the manner detailed hereinafter.

(3) The Exchange will endeavor to resolve the complaint of the constituent through a process of conciliation, in the first instance through the investor grievance cell at the relevant RISC and where not so redressed through the IGRC at the relevant center.

(4) Save as otherwise specified by the Relevant Authority, if the value of the claim, difference or dispute is more than Rupees Twenty Five Lakhs on the date of application, it shall be referred to Investor Grievance Redressal Committee comprising of three Committee Members and if the value of the claim, difference or dispute is upto Rupees Twenty Five Lakhs, the same shall be referred to a single Committee Member.

(5) Where such conciliation proceedings are not successful,

(a) the IGRC may direct the Member to render required services, where the complaint is service related;

(b) the IGRC shall determine the admissible claim value, if ascertainable, based on the material available on record before it, in any other case.

(6) The Relevant Authority may from time to time specify the procedure, method and timelines for redressal of grievances of Constituents.

(7) Upon determination of the admissible claim value, notwithstanding anything contained in the Bye-laws, the Stock Exchange shall debit from the deposits or other monies of the Trading Member lying with the Stock Exchange, the amount of admissible claim determined by the IGRC and keep aside the said amount in a separate account to be dealt with in such manner as mentioned in Bye-laws (36) and (37) of Chapter XIV.

(8) Where the Trading Member chooses not to refer the matter to arbitration under Chapter XIV or does not indicate his intention to do so within the time specified by the relevant authority, the amount debited under Bye-law 7 shall be paid to the Constituent.

(9) A member aggrieved by the determination of admissible claim value by the IGRC may file an arbitration application under Chapter XIV and thereupon all provisions of that Chapter shall apply to such arbitration.

(10) The relevant authority shall instruct the IPF Trust to release such interim sums of moneys to the Constituent as may be prescribed by SEBI or the Exchange, to cover whole or part of the admissible claim amount determined by the IGRC or by the arbitrator under Chapter XIV, pending final determination of their complaint.

(11) The relevant authority shall instruct the IPF Trust to receive or recover the moneys thus released to the Constituent, either singly or jointly with the Exchange, where the Constituent eventually loses in the arbitration proceedings or other legal proceedings emanating therefrom.

3. Places of IGRC

(1) The Relevant Authority may specify the different centers of IGRC and the same shall be communicated from time to time.

(2) The premises/location where meetings of IGRC shall take place shall be such place as may be specified by the Exchange from time to time and intimated to the parties to the dispute accordingly.

4. Guidelines for Fair Practices/Code of Conduct for Committee Members

(1) Persons appointed as Committee Members shall :—

(i) Act in a fair, unbiased, independent and objective manner.

(ii) Maintain the highest standard of personal integrity, truthfulness, honesty and fortitude in discharge of his duties.

(iii) Disclose his interest or conflict in a particular case i.e. whether any party to the proceeding had any dealings with or is related to the Committee Member.

(iv) Shall not engage in acts discreditable to his responsibilities.

(v) Avoid any interest or activity which is in conflict with the conduct of his duties as a Committee Member.

(vi) Perform his duty in an independent and objective manner and avoid activities that may impair, or may appear to impair, his independence or objectivity.

(vii) Ensure that all the provisions of the SEBI Act, 1992 Securities Contract (Regulations) Act, 1956, and Bye-laws, rules and regulations framed there under and the circulars, directions issued by the board in respect of Investor Grievance Redressal.

(viii) Endeavour that the Decisions is passed with in the period stipulated by the Relevant Authority from time to time.

(ix) Endeavour that adjournments, if any, are granted as an exception rather than a rule and after recording the reasons thereof in writing.

(x) Ensure that the awards are detailed and well-reasoned.

(xi) Ensure that the principles of natural justice are followed.

5. Fees

The fees and expenses payable to Committee Member shall be as determined by the Relevant Authority or the Exchange from time to time.

6. Mode of Communication

(1) The Relevant Authority may from time to time specify the modes of service of notice, decision or other communication.

(2) Any notice, decision or other communication sent by the Exchange to any Member or Constituent shall be deemed to have been properly delivered or served at a time when such notice or communication would have been served in the usual course.

(3) Where such communication is returned to the Exchange as unclaimed/ refused/ undelivered, it shall be deemed to have been duly served on the Member or Constituent, as the case may be.

7. Implementation of Decision or Direction of the Committee

The Relevant Authority may from time to time specify the procedure and method for implementation of the decision or direction of the Committee.

8. Payment and Reversal of Debited Amount to the Investors

The Relevant Authority may from time to time specify the procedure and method for payment of debited amounts to the Investors.

9. Exclusion

For removal of doubts, it is hereby clarified that the Exchange shall not be construed to be a party to the dealings, contracts and transactions referred to under these Bye-laws, and the provisions of this Chapter or circular shall not apply in case of claims, differences or disputes between the Exchange and a Trading Member and no recourse shall lie between the Exchange and a Trading Member.”

II. For Chapter XIV, the following Chapters shall be substituted, namely:

“CHAPTER XIV

ARBITRATION

1. Definitions

(f) ‘ Arbitrator ’ shall mean a sole arbitrator or a panel of arbitrators.

(g) ‘ Act ’ shall mean the Arbitration and Conciliation Act, 1996 and includes any statutory modification, replacement or re-enactment thereof, for the time being in force.

(h) ‘ Applicant ’ means the person who makes the application for initiating arbitral proceedings.

(i) ‘ Respondent ’ means the person against whom the Applicant lodges an arbitration application, whether or not there is a claim against such person.

2. Reference to Arbitration

(1) All claims, differences or disputes between the Trading Members inter se and between Trading Members and Constituents arising out of or in relation to dealings, contracts and transactions made subject to the Bye-Laws, Rules and Regulations of the Stock Exchange or with reference to anything incidental thereto or in pursuance thereof or relating to their validity, construction, interpretation, fulfillment or the rights, obligations and liabilities of the parties thereto and including any question of whether such dealings, transactions and contracts have been entered into or not shall be submitted to arbitration in accordance with the provisions of these Bye-laws.

(2) All claims, differences or disputes between the Trading Members and Sub-brokers and between Sub-brokers and Clients of Sub-brokers arising out of or in relation to dealings,

contracts and transactions made subject to the Bye-laws, Rules and Regulations of the Stock Exchange or with reference to anything incidental thereto or in pursuance thereof or relating to their validity, construction, interpretation, fulfillment or the rights, obligations and liabilities of the parties thereto and including any question of whether such dealings, transactions and contracts have been entered into or not shall be submitted to arbitration in accordance with the provisions of these Bye-laws.

Explanation : For the purpose of these Bye-laws, Sub-broker and Clients will have the respective meanings assigned by SEBI (Stock-Brokers and Sub-Brokers) Regulations, 1992, provided the Sub-brokers have obtained SEBI registration under the Trading Member of the Stock Exchange.

(3) All claims, differences or disputes between the Trading Members inter se, Trading Members and Constituents, whether or not registered as Participants, Constituents inter se, whether or not registered as Participants, arising out of or in relation to dealings, contracts and transactions executed or reported on the Wholesale Debt Market Trading Segment of the Stock Exchange and made subject to the Bye-laws, Rules and Regulations of the Stock Exchange or with reference to anything incidental thereto or in pursuance thereof or relating to their validity, construction, interpretation, fulfillment or the rights, obligations and liabilities of the parties thereto and including any question of whether such dealings, transactions and contracts have been entered into or not shall be submitted to arbitration in accordance with the provisions of these Bye-laws :

Provided this Bye-law shall not in any way affect the jurisdiction of the Stock Exchange on the Trading Member, through whom such a Participant has dealt with or traded, in regard thereto and such Trading Member shall continue to remain responsible, accountable and liable to the Stock Exchange in this behalf.

(4) A Trading Member aggrieved by the determination of admissible claim value by the IGRC under Chapter XIII-A may submit his claim, difference or dispute with the Constituent to arbitration under this Chapter.

(5) The provisions of Bye-laws 2(1), 2(2), 2(3) and 2(4) of this Chapter shall become applicable to all claims, differences, disputes between the parties mentioned therein for all dealings, contracts and transactions made subject to the Bye laws, Rules and Regulations of the Stock Exchange provided such dealings, contracts and transactions had been entered into between the parties mentioned therein prior or to the date on which the Trading Member was either declared a defaulter or expelled or has surrendered his trading membership.

(6) All claims, differences or disputes arising between an Issuer and a Constituent in respect of such matters as may be specifically provided from time to time in the Listing Agreement as entered into by an Issuer with the Stock Exchange shall be submitted to arbitration in accordance with the provisions of these Bye-laws.

Explanation : For the purpose of these Bye-laws, the term ' Issuer ' shall have the same meaning as defined in these Bye-laws and the term ' Constituent ' shall mean the investor who has bought or sold, on the Stock Exchange, the securities of the Issuer in respect of which the claim, differences or dispute has arisen.

3. Provisions of these Bye-laws deemed to form part of all dealings, contracts and transactions

In all dealings, contracts and transactions, which are made or deemed to be made subject to the Bye-laws, Rules, Regulations and various circulars, of the Stock Exchange, issued from time to time, the provisions relating to arbitration as provided in these Bye-laws shall form and shall be deemed to form part of the dealings, contracts and transactions and the parties shall be deemed to have entered into an arbitration agreement in writing by which all claims, differences or disputes of the nature referred to in these Bye laws shall be submitted to arbitration as per the provisions of these Bye-laws.

4. Limitation period for reference of claims, differences or disputes for arbitration

All claims, differences or disputes referred to in these Bye laws shall be submitted to arbitration within the period prescribed under the Limitation Act, 1963.

Explanation :—

(a) In cases where the date of claim, difference or dispute is not ascertainable, it shall be deemed to have arisen on the date of expiry of six months from the date of the transaction in respect of which the claim, difference or dispute has arisen.

(b) In cases where the date of claim, difference or dispute arising out of Bye-law 2(6) of Chapter XIV of the Bye-laws is not ascertainable, it shall be deemed to have arisen as follows :—

(i) In cases where the Issuer fails to communicate to the Constituent the transfer of shares, the date of dispute shall be deemed to have arisen on the date of expiry of six months from the date of expiry of 30 days from the date of lodgment of shares by the Constituent for transfer with the Issuer; or

(ii) In cases where the Issuer refuses to transfer the shares, the date of dispute shall be deemed to have arisen on the date of expiry of six months from the date of receipt of communication of Issuer refusing to transfer the shares in favour of the Constituent.

(iii) In cases where the Issuer delays the transfer of shares of the Constituent beyond the stipulated period, the date of dispute shall be deemed to have arisen on the date of expiry of six months from the date of expiry of 30 days from the date of lodgment of shares by the Constituent for transfer with the Issuer; or the date of receipt of communication of the Issuer to the Constituent intimating the transfer of shares in favour of the Constituent, whichever is later.

5. Place of Arbitration

(3) The Relevant Authority may provide for different seats of arbitration for different regions of the country either generally or specifically and in such an event the seat of arbitration shall be the place so provided by the Relevant Authority and the same shall be communicated by the Relevant Authority from time to time.

(4) The premises/location where arbitration shall take place shall be such place as may be identified by the Stock Exchange from time to time and intimated to the arbitrator and the parties to the dispute accordingly.

6. Criteria for Selection of Place of Arbitration

Save as otherwise specified by the Relevant Authority, the criteria for selection of seat of arbitration for a particular matter is as follows :—

Parties to Dispute	Place of filing the Application for Arbitration	Place of hearing
T M* V/s T M	<p>If the dealing offices of both Trading Members from where the dealing was carried is situated in any one of the states covered by a particular RAC then the Application for Arbitration shall be filed by the Applicant-Trading Member in that RAC.</p> <p>If the dealing offices of both Trading Members from where the dealing was carried out are situated in states covered by different RAC then the Application for Arbitration shall be filed in the RAC covering the state in which the Respondent-Trading Member's dealing office is situated.</p>	The hearing shall be held at the RAC where the Applicant-Trading Member has filed the Application for Arbitration and the Respondent Trading Member shall attend the hearing in that particular RAC.

Parties to Dispute	Place of filing the Application for Arbitration	Place of hearing
TM V/s C*& C V/s TM	The Application for Arbitration shall be filed by the Applicant at the RAC nearest to the address provided by the Constituent in the KYC form, provided however that in respect of a Non-Resident Indian Constituent, the seat of arbitration shall be the RAC in the area in which the correspondence office of the Trading Member is situated.	The hearing shall be held in that RAC where the Applicant has filed the Application for Arbitration and the Respondent shall attend the hearing in that particular RAC.

* “TM” stands for “Trading Member” and “C” stands for “Constituent.”

7. Reference of the Claim, Difference or Dispute

Save as otherwise specified by the Relevant Authority, if the value of the claim, difference or dispute is more than Rupees Twenty Five Lakhs on the date of application, it shall be referred to a panel of three arbitrators and if the value of the claim, difference or dispute is upto Rupees Twenty Five Lakhs, the same shall be referred to a sole arbitrator.

8. Criteria and Procedure for Selection of Persons eligible to act as Arbitrators

(1) The relevant authority may prefer persons with background in law, finance, management, administration and experience in the areas related to securities market over other candidates and shall consider both educational qualification and experience of the candidates for inclusion in the Common Pool.

(2) In case of re-nomination of an existing person on list of eligible persons, the relevant authority shall consider the past experience with such persons, such as time taken for passing awards, quality of awards passed, complaints received, if any, against the arbitrator.

(3) Such list of eligible persons for inclusion in the Common Pool may be constituted for each Regional Arbitration Centre.

(4) The pooling of arbitrators will be done centre-wise and displayed on the website of the Exchange.

Explanation : “Common Pool” shall mean pool of arbitrators formed by inclusion of all the arbitrators on panels of all the recognised stock exchanges having nation-wide trading terminals.

9. Guidelines for Fair Practices/Code of Conduct for Arbitrators

(1) Persons appointed as arbitrators shall :—

(i) Act in a fair, unbiased and objective manner

(ii) Maintain the highest standard of personal integrity, truthfulness, honesty and fortitude in discharge of his dispute in order to inspire public confidence and shall not engage in acts discreditable to his responsibilities

(xii) Avoid any interest or activity which is in conflict with the conduct of his duties as an arbitrator.

(xiii) Perform his duty in an independent and objective manner and avoid activities that may impair, or may appear to impair, his independence or objectivity.

(xiv) Disclose his interest or conflict in particular cases i.e whether any party to the proceeding had any dealing with or related to the arbitrator

(xv) Ensure that all the provisions of the arbitration and conciliation act 1996, SEBI Act, 1992, Securities Contract Regulations Act, 1956, and rules regulations and bye laws framed there under and the circulars, directions issued by the government / SEBI in respect of Arbitration and dealing in securities are followed.

(xvi) Endeavour that the arbitral award is passed within the period stipulated by the Bye-laws, Rules and Regulations of the Stock Exchange.

(xvii) Endeavour that adjournments, if any, are granted as an exception rather than a rule and after recording the reasons thereof in writing.

(xviii) Ensure that the awards are detailed and well-reasoned.

(xix) Ensure that the principles of natural justice are followed.

10. Procedure for Appointment of Arbitrators

(1) The Applicant and the Respondent against whom the claim has been made by the Applicant shall submit to the Stock Exchange in the order of descending preference, names of such number of persons as specified hereunder from amongst the list of eligible persons specified by the Stock Exchange for the respective seats of arbitration. The number of persons to be so selected by the Applicant and the Respondent shall be seven if the seat of arbitration is at Mumbai and five in other cases. Such names shall be submitted in the prescribed form by the Applicant along with arbitration application. The Respondent shall submit the names in prescribed form within seven days of the receipt of arbitration application from the Stock Exchange. Upon receiving the prescribed form, from both the Applicant as well as the Respondent, the arbitrator(s) shall be appointed through an automatic process or any other process as may be specified by SEBI or the Exchange, from time to time.

(2) The panel of arbitrators so appointed shall select one among themselves to act as a presiding arbitrator within 7 days of receipt of intimation of their appointment as an arbitrator. In case of failure or lack of consensus among the panel to select a presiding arbitrator, the Relevant Authority shall select the presiding arbitrator.

11. Disclosure by persons to be appointed as arbitrators

Every person who is approached in connection with his possible appointment as an arbitrator shall disclose to the Relevant Authority in writing any circumstances likely to give rise to justifiable doubts as to his independence and impartiality. If the person discloses any circumstances which in the opinion of the Relevant Authority are likely to give rise to justifiable doubts as to his independence and impartiality, then he shall not be appointed as an arbitrator and in such event another arbitrator(s) shall be appointed through the automatic process as mentioned in Bye-law 10.

12. Disclosure by persons appointed as arbitrators

An arbitrator, from the time of his appointment and throughout the arbitral proceedings, shall, without delay, disclose to the Relevant Authority in writing any circumstances referred to in Bye-law (11) above which have come to his knowledge after his appointment as an arbitrator.

13. Vacancy in the Office of the Arbitrator

If the office of the sole arbitrator or any one or more of the arbitrators in the panel of arbitrators falls vacant after the appointment thereto, the Stock Exchange shall adopt the procedure specified herein above and fill up the vacancy caused in the office arbitrator.

14. Termination of mandate of the arbitrator

(1) The mandate of the arbitrator shall terminate if

(i) the arbitrator withdraws from office for any reason; or

(ii) in the opinion of the Relevant Authority, the arbitrator becomes de jure or de facto unable to perform his functions or for other reasons fails to act without undue delay including failure to make the arbitral award within the time period prescribed by the Relevant Authority. Such a decision of the Relevant Authority shall be final and binding on the parties ; or

(iii) the mandate of the arbitrator is terminated by the Relevant Authority upon receipt of written request for the termination of the mandate of the arbitrator from both the parties to arbitration ; or

(iv) the arbitrator discloses any circumstances referred to in Bye-laws (11) and (12) above, which in the opinion of the Relevant Authority are likely to give rise to justifiable doubts as to his independence and impartiality.

(v) the arbitral proceedings are terminated as provided for herein.

15. Supplying of vacancy to the office of the arbitrator

At any time before the making of the arbitral award should the office of the arbitrator fall vacant for any reason whatsoever including any vacancy due to the illness or death of the arbitrator or termination of the mandate of the arbitrator by the Relevant Authority or otherwise, the Stock Exchange shall adopt the procedure specified herein above and fill up the vacancy caused in the office arbitrator.

16. Proceedings to be taken up by Arbitrator appointed by Relevant Authority in supply of vacancy

Unless otherwise agreed by parties, any arbitrator who has been appointed by the Relevant Authority to supply a vacancy to the office of the arbitrator may repeat any hearings previously held.

17. Order or ruling of previous arbitrator not invalid

An order or ruling of the arbitrator made prior to the termination of his mandate shall not be invalid solely because his mandate has been terminated; Provided that when the termination has been effected pursuant to Bye-law (14) (1) of this Chapter, the order or ruling of the arbitrator made prior to termination of his mandate shall become invalid unless otherwise agreed upon by the parties.

18. Interim arbitral award and interim measures ordered by the arbitrator

The arbitrator may be empowered to make an interim arbitral award as well as to provide interim measures of protection in terms of provisions of the Act. An arbitrator may require a party to provide appropriate security in connection with an interim measure.

19. Deposits towards cost of Arbitration

(1) The parties to the claim, difference or dispute shall bear cost of arbitration. For this purpose, both the parties to arbitration shall make a deposit with the Stock Exchange along with the arbitration application or the reply, as the case may be, for defraying the costs that may be incurred for conducting the arbitration proceeding. Provided that when there is failure, neglect or refusal by Respondent, being a Constituent, to make a deposit accordingly, the Applicant shall be responsible for making such deposit without prejudice however to its right to recover the same from such Respondent in terms of the award. The Stock Exchange shall have the right to recover the deposit from the Trading Member from the moneys due to it if the Trading Member fails to make the deposit.

(2) The amount of deposit, which has to be deposited shall be determined by the amount of the claim initially and thereafter determined based on a higher counter claim, if any, as specified by the Relevant Authority, subject to the maximum limits as mentioned below:

S. No.	Amount of Claim / Counter Claim, whichever is higher	Amount of Deposit, if claim is filed within six months (percentages refer to amount of claim or counterclaim, whichever is higher)	Amount of Deposit, if claim is filed after six months (for applicant)
(a)	(b)	(c)	(d)
1.	Upto Rs. 10,00,000	1.3% subject to a minimum of Rs. 10,000.	3.9% subject to a minimum of Rs. 30,000.
2.	Above Rs. 10,00,000 and upto Rs. 25,00,000.	Rs. 13,000/- plus 0.3% amount above Rs. 10 lakh.	Rs. 39,000 plus 0.9% amount above Rs. 10 lakh.
3.	Above Rs. 25,00,000	Rs. 17,500/- plus 0.2% amount above Rs. 25 lakh subject to maximum of Rs. 30,000.	Rs. 52,500/- plus 0.6 % amount above Rs. 25 lakh subject to maximum of Rs.90,000.

(3) If the amount of claim is less than or equal to Rs.10 lakhs, then the constituent whether he or she or it is an Applicant or Respondent shall not be required to furnish the deposit to the Stock Exchange. In such cases, the costs incurred for conducting the arbitration proceedings for and on behalf of the Constituent shall be borne by the Stock Exchange.

(4) On issuance of the arbitral award, the Stock Exchange shall refund the deposit, if any, to the party in whose favor the award has been passed. In case where claim was filed within 6 months, the full deposit made by the party against whom the award has been passed, may be appropriated towards arbitration fees of the Stock Exchange. In case where claim was filed after 6 months, one third of the deposit collected from the party shall be appropriated towards arbitration fees of the Stock Exchange and balance two-third amount shall be credited to the Investor Protection Fund of the Stock Exchange.

(5) The period of 6 months referred in Bye-law (19) (2) to (19) (4) above, shall be computed from the end of the quarter during which the disputed transaction(s) were executed/settled, whichever is relevant for the dispute, and after excluding:-

(i) the time taken by the Relevant Authority in trying to administratively resolve the claim, difference or dispute i.e. the time taken from the date of receipt of dispute till the decision by the Relevant Authority, and

(ii) the time taken by the member to attempt the resolution of the dispute or one month from the date of receipt of the dispute by the member, whichever is earlier in reckoning the time taken by the Member to attempt resolution of the dispute, the time between the date of receipt of complaint/dispute by the Member and the date of receipt of the Member's last communication by the constituent, shall be considered.

20. Appearance in arbitral proceedings by counsel, attorney or advocate

In arbitral proceedings where both the parties are Trading Members, the parties shall not be permitted to appear by counsel, attorney or advocate but where one of the parties is a Constituent, then the Constituent shall be permitted to appear by counsel, attorney or advocate. If the Constituent chooses to appear by counsel, attorney or advocate, then the Trading Member and Issuer shall be granted a similar privilege.

21. Procedure for Arbitration

(1) The Applicant shall submit to the Stock Exchange his/her/its application for arbitration in the prescribed form, (three copies in case of sole arbitrator and five copies in case of panel of arbitrators) alongwith the following enclosures:

(i) The Statement of Case containing all the relevant facts about the dispute and relief sought;

(ii) The Statement of Accounts;

(iii) Copies of Member - Constituent Agreement;

(iv) Copies of the relevant Contract Notes and Bills;

(v) Copies of any other document(s) relied upon by the Applicant;

(vi) Copies of the decision of the IGRC where it is a reference made under Bye-law 2(4).

(2) The Applicant shall also submit to the Stock Exchange the following along with his/her/its arbitration application:

(i) A cheque/ pay order/demand draft for the deposit payable at the seat of arbitration in favour of MCX Stock Exchange Limited, if applicable;

(ii) List of names of eligible arbitrators in his/her/its order of preference to act as arbitrator(s), in the prescribed form;

(3) If any deficiency/defect in the application is found, the Stock Exchange shall call upon the Applicant to rectify the deficiency/defect and the Applicant shall rectify the deficiency/defect within 15 days of receipt of intimation from the Stock Exchange. If the

Applicant fails to rectify the deficiency/defect within the prescribed period, the Stock Exchange shall return the deficient/defective application to the Applicant. However, the Applicant shall have the right to file a revised application which shall be considered as a fresh application for all purposes and dealt with accordingly.

(4) Upon receipt of arbitration application along with requisite documents, the Stock Exchange shall forward a copy of the statement of case and related documents to the Respondent.

(5) Upon receiving the arbitration application, the Respondent shall submit his reply in the prescribed form to the Stock Exchange within 7 days from the date of receipt or such arbitration application. If the Respondent fails to submit his reply, in the prescribed form, within the time period prescribed by the Stock Exchange, then the arbitrator shall be appointed in the manner as specified in Bye-law (10) herein above.

(6) Upon receiving the reply from the Respondent(s), the arbitrator shall be appointed as per the procedure prescribed in Bye-law (10) herein above. In the event there is more than one Respondent, being legal heirs of a deceased Constituent or family members, then such legal heirs shall authorise one of them to represent the deceased Constituent in the arbitration proceedings including signing of the prescribed form(s) and such other documents as may be required.

(7) The Respondent(s) shall within 15 days from the date of receipt of an arbitration application from the Stock Exchange, submit to the Stock Exchange in prescribed form three copies in case of sole arbitrator and five copies in case of panel of arbitrators along with the following enclosures :—

- (i) The Statement of Reply (containing all available defenses to the claim)
- (ii) The Statement of Accounts
- (iii) Copies of the Member Constituent Agreement, if any;
- (iv) Copies of the relevant Contract Notes and Bills;
- (v) Statement of the set-off or counter claim alongwith statements of accounts and copies of relevant contract notes and bills;
- (vi) Copies of any other document(s) relied upon by the Respondent;

(8) The Respondent shall also submit to the Stock Exchange a cheque/pay order/demand draft for the deposit payable at the seat of arbitration, if applicable, in favour of MCX Stock Exchange Limited along with the prescribed form;

(9) If the Respondent fails to submit his/her/its reply in the prescribed form within the prescribed time, then the arbitrator may proceed with the arbitral proceedings and make the award ex-parte.

(10) Upon receiving the reply from the Respondent the Stock Exchange shall forward one copy of the same to the Applicant. The Applicant shall within ten days from the date of receipt of copy of reply of Respondent, submit to the Stock Exchange, a reply to any counterclaim, if any, which may have been raised by the Respondent in its reply to the Applicant. The Stock Exchange shall forward such reply of the Applicant to the Respondent.

(11) The time period to file any pleading referred to herein may be extended for such further periods as may be decided by the Relevant Authority in consultation with the arbitrator depending on the circumstances of the matter.

22. Time for appointment of Arbitrator and completion of proceedings

(1) Time for appointment of Arbitrator - Where an arbitration application is made, the appointment of arbitrator or panel of arbitrators, shall be completed within thirty days of receipt of the application.

(2) Adjournment - Adjournment, if any, shall be granted by the arbitrator only in exceptional cases, for bonafide reasons to be recorded in writing.

(3) Time for Completion of Arbitration - The arbitrator(s) shall conclude the arbitration reference within four months from the date of their appointment, by issuance of an arbitral award.

(4) Request for extension - The Managing Director or an Executive Director may, on an application by either party or the arbitrator(s) and for sufficient cause to be recorded in writing, extend the time for making of arbitral award by not more than two months, on a case to case basis.

23. Requirement for Hearings

(1) No hearing shall be required to be given to the parties to the dispute if the value of the claim, difference or dispute is Rs.25,000/- or less. In such a case the arbitrator shall proceed to decide the matter on the basis of documents submitted by both the parties provided however the arbitrator for reasons to be recorded in writing may hear both the parties to the dispute.

(2) If the value of claim, difference or dispute is more than Rs.25,000/-, the arbitrator shall offer to hear the parties to the dispute unless both parties waive their right for such hearing in writing.

24. Notice of Hearing

Unless otherwise specified, the Stock Exchange shall in consultation with the arbitrator determine the date, the time and place of the first hearing. Notice for the first hearing shall be given at least ten days in advance, unless the parties shall, by their mutual consent, waive the notice. The arbitrator shall determine the date, the time and place of subsequent hearings of which a notice shall be given by the Stock Exchange to the parties concerned.

25. Adjournment of Hearing

If any party to the reference wants to make an application for adjournment of hearing by the arbitrator the party shall make an application in writing giving reasons for seeking adjournment to the Stock Exchange sufficiently in advance to enable the Stock Exchange to forward such request to the arbitrator. The arbitrator at his discretion may grant the adjournment subject to such conditions as deemed fit by him.

26. Appearance through Authorised Representative

(1) In the arbitral or appellate arbitration proceeding a Constituent may appear through a power of attorney holder and the trading member may appear through his authorised representative :

Provided that the trading member may appear through a legal practitioner only if the Constituent is represented through a legal practitioner.

For the purpose of this Bye-law, ' authorised representative ' shall mean as under—

(i) If the trading member is an individual, an employee or authorised person of the trading member.

(ii) If the trading member is a partnership firm, any partner or employee or authorised person of the trading member.

(iii) If the trading member is a Company, any director or employee or authorized person of the trading member.

27. Arbitral Award on Agreed Terms

If after the appointment of an arbitrator, the parties settle the dispute, then the arbitrator shall record the settlement in the form of an arbitral award on agreed terms or may dismiss the matter summarily on an application made by the applicant for withdrawal of arbitration matter due to settlement with the other party.

28. Arbitral Award under certain Circumstances

(1) The arbitrator, in case of any arbitration proceedings which is not defended or in his opinion is not effectively defended, besides the documents produced by the applicant, may, for the purpose of passing a fair and proper award, also consider any other document in general, which the arbitrator considers necessary for the purpose of coming to a proper conclusion and in particular the following documents for the purpose of arriving at a decision :

- (i) Copy of member-constituent agreement.
- (ii) Contract notes and bills.
- (iii) Statement of accounts given by the trading member to the constituent on periodic basis;
- (iv) Bank statements supported by confirmation from the bank regarding payments/receipts
- (v) Transaction cum Holding statements of the demat account(s) of the applicants and respondents with the depository.
- (vi) Unique id upload, if any, from the members to Exchange with regard to the client.
- (vii) Trade log in respect of transactions relating to dispute.

For the purpose of the above, the arbitrator may also seek relevant information from the applicant as well as the Stock Exchange, to the extent available with the Stock Exchange.

29. Making of Arbitral Award

(1) The arbitral award shall be in writing and made in three originals duly dated and signed by the sole arbitrator or in case of a panel of arbitrators by all the three arbitrators.

(2) The arbitrator shall file all the three original awards with the Stock Exchange, which shall arrange to send one original each to the parties to the dispute and the stamped original award shall be retained by the Stock Exchange.

30. Interest

(1) The arbitrator may include in the sum for which the award is made interest at such rate on such sum and for such period as the arbitrator deems reasonable.

(2) A sum directed to be paid by an award shall, unless the award otherwise directs, carry interest at the rate of eighteen per centum per annum from the date of the award to the date of payment.

31. Arbitration Fees and Charges, Costs, etc.

(1) The fees and expenses payable to arbitrator shall be as determined by the Relevant Authority from time to time.

(2) All fees and charges relating to the appointment of the arbitrator and conduct of arbitration proceedings shall be borne by the parties to the reference equally or in such proportions as may be decided by the arbitrator.

(3) The costs, if any, to be awarded to either of the party in addition to the fees and charges that have to be borne by the parties for conducting the arbitration shall be decided by the arbitrator.

(4) Unless the arbitrator directs otherwise each party shall bear their own expenses of traveling and other incidental expenses incurred.

32. Administrative Assistance

For the purpose of section 6 of the Act, in all claims, differences or disputes which are required to be submitted to arbitration as per the provisions of these Bye-laws, the parties shall be deemed to have arranged for administrative assistance of the Relevant Authority in order to facilitate the conduct of the arbitral proceedings.

33. Administrative Assistance which may be provided by the Stock Exchange

(1) The Stock Exchange shall

- (a) maintain a register of references;
- (b) receive all applications for arbitration and communications addressed by the parties before or during the course of arbitration proceedings or otherwise in relation thereto;
- (c) receive payment of all costs, charges, fees and other expenses;
- (d) give notices of hearing and all other notices to be given to the parties before or during the course of the arbitration proceedings or otherwise in relation thereto;
- (e) communicate to the parties all orders and directions of the arbitrator;
- (f) receive and record all documents and papers relating to the reference and keep in custody all such documents and papers except such as the parties are allowed to retain;
- (g) communicate the award on behalf of the arbitrator;
- (h) generally do such things and take all such steps as may be necessary to assist the arbitrator in the execution of their function.

34. Mode of Communication

(1) Any communication sent by the Stock Exchange to either of the parties shall be deemed to have been properly delivered or served, even if such communication is returned to the Stock Exchange as unclaimed/ refused/undelivered, if the same is sent to the ordinary business address and/or ordinary place of residence and/or last known address of the party, in any one or more of the following ways :—

- (i) by post,
- (ii) by registered post,
- (iii) by speed post/courier services,
- (v) by telegram,
- (vi) by affixing it on the door at the last known business or residential address,
- (vii) by advertising it in at least one prominent daily newspaper having circulation in the area where the last known business or residential address of Respondent is situated,
- (viii) by sending a message through the Trading System,
- (ix) by electronic mail or fax
- (x) by hand delivery

(2) Any communication sent by either of the parties to the Stock Exchange shall be made in any one or more of the following ways:

- (i) by post (ordinary or registered or speed) or Courier service
- (iii) by fax
- (iv) by hand delivery
- (v) by electronic mail

35. Implementation of Arbitral Award

Notwithstanding anything contained in the Bye-laws, in cases where the arbitral award or appellate arbitral award is passed against the Trading Member and/or its sub-brokers and in favour of a Constituent, the Stock Exchange shall debit from the deposits or other monies of the Trading Member lying with the Stock Exchange, the amount of award payable to the awardee together with interest payable, if any, till the date of debit after setting off the counter claim of the Trading Member and /or its sub-brokers allowed under the award, if any, and keep aside the said amount in a separate account to be dealt with in such manner as mentioned in Bye-laws (36) and (37) herein below :

Provided that, where the award is for the delivery of securities, the Stock Exchange may consider the closing price of such securities on the Stock Exchange as on the date of the award or such other date the relevant authority may specify to be reasonable, stating reasons for arriving at the value of such securities and award amount :

Provided further that in case of an arbitration referred by a member aggrieved by decision of IGRC under Bye-law 2(4) where the award is in favour of the Constituent and the Member has indicated his intention to challenge the award by filing an appeal under Bye-law 44 or by taking recourse under section 34 of the Act in the manner and within the time specified by the relevant authority, there shall be an interim release of moneys from the IPF Trust as specified by the relevant authority, without prejudice to the implementation mechanism specified in this Chapter :

Provided further that in case of an arbitration referred by a member aggrieved by decision of IGRC under Bye-law 2(4) where the appellate award is in favour of the Constituent and the Member has indicated his intention to challenge the appellate award by taking recourse under section 34 of the Act in the manner and within the time specified by the relevant authority, there shall be an interim release of moneys from the IPF Trust as specified by the relevant authority, without prejudice to the implementation mechanism specified in this Bye-law.

36. Payment of Debited Amount to Clients

(1) Arbitral Award :—Where the Trading Member/ Sub-broker

(a) chooses not to prefer an appeal under Bye-law 44 within the time permissible there under or to indicate his intention to challenge the same by filing an appeal under Bye-law 44 or by taking recourse under section 34 of the Act in the manner and within the time specified by the relevant authority, in case of an arbitration referred under Bye-law 2(4); or

(b) chooses not to prefer an appeal under Bye-law 44 within the time permissible there under, in any other case –

the amount debited under Bye-law 35 shall be paid, together with the interest earned thereon, to the awardee.

(2) Appellate Arbitral Award:- Where an appeal is preferred by the Trading Member/ Sub-broker under Bye-law 44 and the appellate arbitral tribunal makes an appellate arbitral award against the Trading Member/ Sub-broker the Stock Exchange shall pay the awarded amount to the awardee from the amount debited under Bye-law 35 :—

(i) where no application is made by the Trading Member/ Sub-broker under Section 34 of the Arbitration and Conciliation Act, 1996 to challenge such arbitral award within the limitation period for making such application, upon expiry of such limitation period;

(ii) where such an application is made by the Trading Member/ Sub-broker, and no stay is granted by the court within three months from the date of receipt of appellate arbitral award by him, upon completion of such three months;

(iii) in any other case, upon dismissal of the application by the court;

(iv) in a case referred under Bye-law 2(4), where the Member chooses not to take recourse under Section 34 of the Act within the time permissible there under or to indicate his intention to take recourse in the manner and within the time specified by the relevant authority.

37. Reversal of Debit in Certain Cases

Where the arbitral award or the appellate arbitral award against the trading member or sub-broker has been set aside or has been modified by reduction of awarded amount, and such setting aside or modification has attained finality, the stock exchange may reverse the debit, in full or in part, as the case may be, and pay the reduced amount, if any, to the awardee.

38. Arbitration proceedings subject to the provisions of the Act

The arbitration proceedings as provided for by the provisions of these Bye-laws shall be subject to the provisions of the Act to the extent not provided for in these Bye-laws.

39. Preservation of Records

(1) The following documents shall be preserved by the Stock Exchange for the time periods as mentioned hereunder.

(i) The original arbitration award along with acknowledgements shall be preserved permanently.

(ii) In case an appeal for setting aside the award is not filed, then apart from the original award, all the other records pertaining to arbitration shall be preserved for 5 years from the date of award.

(iii) In case an appeal for setting aside the award is filed, then apart from the original award, all the other records pertaining to arbitration shall be preserved for 5 years from the date of final disposal by court.

40. Destruction of Records

The destruction of records by the Stock Exchange shall be subject to the previous order, in writing of the relevant authority and the details of the destruction shall be entered in a register wherein the brief particulars of the records destroyed along with the certification regarding the date and mode of destruction shall be mentioned.

41. Construction of references

For the purposes of Section 2(6) of the Act, in all claims, differences or disputes which are required to be submitted to arbitration as per the provisions of these Bye-laws, wherever Part 1 of the Act leaves the parties free to determine a certain issue, the parties shall be deemed to have authorised the Relevant Authority to determine that issue.

42. Jurisdiction

All parties to a reference to arbitration under these Bye-laws and the persons claiming under them, shall be deemed to have submitted to the exclusive jurisdiction of the competent court nearest to the regional arbitration centre where appellate arbitral proceedings were conducted.

43. Exclusion

For removal of doubts, it is hereby clarified that the Stock Exchange shall not be construed to be a party to the dealings, contracts and transactions referred to under these Bye-laws; and the provisions of this Chapter shall not apply in case of claims, differences or disputes between the Stock Exchange and a Trading Member and no arbitration shall lie between the Stock Exchange and a Trading Member.

44. Appeal against Arbitration Award

Any party aggrieved by an arbitral award made in terms of the provisions of this Chapter shall have a right of appeal against such award to the appellate panel of arbitrators in terms of provisions of Chapter XIVA of these Bye-laws."

III. After Chapter XIV so substituted, the following Chapter shall be inserted, namely :—

**“ CHAPTER XIVA
APPELLATE ARBITRATION**

1. Definitions

(a) ‘ Appellant ’ means the person who files an appeal under this Chapter.

(b) ‘ Respondent ’ means the person against whom the Appellant lodges an appeal, whether or not there is a claim against such person.

2. Seat of Appellate Arbitration

The Appellate Arbitration shall be conducted at the same Regional Arbitration Center (RAC) where the award under challenge was passed, unless otherwise specified by the relevant authority.

3. Time for Preferring Appeal

The Memorandum of Appeal shall be submitted to the Stock Exchange by the appellant or his authorized representative within one month from the date of receipt of the Arbitral Award.

4. Procedure for Appointment of Arbitrators

(1) The Appellant and the Respondent shall submit to the Stock Exchange in the order of descending preference, names of persons from amongst the list of eligible persons specified by the Stock Exchange for the respective seats of appellate arbitration other than those Arbitrator(s) who passed the Award under dispute. The number of persons to be so submitted by the Appellant and the Respondent shall be as may be specified by the Relevant Authority. Such names shall be submitted in the prescribed form by the Appellant alongwith Memorandum of Appeal. The Respondent shall submit the names in the prescribed form within seven days of the receipt of Memorandum of Appeal from the Stock Exchange. Upon receiving the prescribed form, from the Appellant as well as the Respondent, the Stock Exchange shall as provided for herein, identify the person/s who shall act as the arbitrators.

(2) The Stock Exchange shall identify the panel of arbitrators to whom the Memorandum of Appeal will be referred through such process and manner as may be specified by SEBI / Exchange from time to time.

(3) The panel of arbitrators so appointed shall select one among themselves to act as a presiding arbitrator within 7 days of receipt of intimation of their appointment as an arbitrator. In case of failure or lack of consensus among the panel to select a presiding arbitrator, the Relevant Authority shall select the presiding arbitrator.

(4) The appellate panel consisting of three arbitrators shall be different from the ones who passed the arbitral award appealed against.

(5) Such constitution of appellate panel of arbitrators shall be completed within thirty days from the date of receipt of the appeal.

5. Appellate Arbitration Fees

The Appellant shall bear the cost of Appellate Arbitration. The appellant shall pay to the Stock Exchange alongwith the Memorandum of Appeal such fees as may be prescribed by the Relevant Authority from time to time, not exceeding Rs. 30,000/- (exclusive of statutory dues such as, stamp duty and service tax). In case the party filing appeal is a Constituent having a claim/ counter claim of upto Rs.10,00,000/-, then he/she shall pay a fee not exceeding Rs.10,000/- (exclusive of statutory dues such as, stamp duty and service tax).

6. Procedure for Appellate Arbitration

(1) The Appellant shall submit to the Stock Exchange five copies of Memorandum of Appeal, and the following enclosures:

- (i) Five copies of the Arbitration Award.
- (ii) Five copies of the decision of IGRC, where relevant.
- (iii) Five copies of Arbitration proceedings.
- (iv) A cheque/ pay order/demand draft for the fees payable in drawn favour of MCX Stock Exchange Limited.
- (v) List of names of eligible arbitrators in his/her/its order of preference to act as arbitrator(s), in the prescribed form.

(2) If any deficiency/defect in the Memorandum of Appeal is found, the Stock Exchange shall call upon the Appellant to rectify the deficiency/defect and the Appellant shall rectify the deficiency/defect within 7 days of receipt of intimation from the Stock Exchange. If the Appellant fails to rectify the deficiency/defect within the prescribed period, the Stock Exchange shall return the deficient/defective Memorandum of Appeal to the Appellant. However, the Appellant shall have the right to file a revised Memorandum of Appeal which shall be considered as a fresh Memorandum of Appeal for all purposes including limitation and dealt with accordingly.

(3) Upon receipt of Memorandum of Appeal, the Stock Exchange shall forward a copy of the same and related documents to the Respondent.

(4) The Respondent shall submit his/her/its reply, in the prescribed form, to the Stock Exchange within 7 days from the date of receipt of Memorandum of Appeal and related documents. If the Respondent fails to submit his reply within the time period prescribed by the Stock Exchange, then the arbitrator shall be appointed in the manner as specified in Bye-law (3) of this Chapter.

(5) Upon receiving the reply from the Respondent(s), the arbitrator shall be appointed as per the procedure prescribed in Bye-law (3) of this Chapter. In the event there is more than one Respondent, being legal heirs of a deceased Constituent or family members, then such legal heirs shall authorize one of them to represent the deceased Constituent in the appellate arbitration proceedings including signing of the reply and such other documents as may be required.

(6) The Respondent(s) shall within 10 days from the date of receipt of Memorandum of Appeal from the Stock Exchange, submit to the Stock Exchange five copies of Statement of Reply alongwith the related documents as mentioned in the prescribed form.

(7) If the Respondent fails to submit Statement of Reply within the prescribed time, then the appellate arbitral tribunal may proceed with the arbitral proceedings and pass an award *ex-parte*.

(8) Upon receiving Statement of Reply as prescribed in the prescribed form, from the Respondent the Stock Exchange shall forward one copy to the Appellant.

(9) The time period to file any pleading referred to herein may be extended for such further periods as may be decided by the Relevant Authority in consultation with the arbitrator depending on the circumstances of the matter.

(10) The appeal shall be disposed of within three months from the date of appointment of appellate panel of arbitrators, through issuance of an appellate arbitral award.

(11) The Managing Director or an Executive Director of the Exchange may, on an application by either party or the appellate panel of arbitrators and for sufficient cause to be recorded in writing, extend the time for making of appellate arbitral award by not more than two months, on a case to case basis.

7. Vacancy in the Office of the Arbitrators

If one or more of the arbitrator's office falls vacant, in the panel of appellate arbitral tribunal after the appointment thereto, the Stock Exchange shall adopt the procedure specified in Bye-law (3) of this Chapter and fill up the vacancy caused in the office arbitrator(s).

8. Notice of Hearing

Unless otherwise specified, the Stock Exchange shall in consultation with the panel of arbitrators determine the date, the time and place of the first hearing. Notice for the first hearing shall be given at least 7 days in advance, unless the parties shall, by their mutual consent, waive the notice. The arbitral tribunal shall determine the date, the time and place of subsequent hearings of which a notice shall be given by the Stock Exchange to the parties concerned.

9. Adjournment of Hearing

If any party to the appeal wants to make an application for adjournment of hearing by the arbitral tribunal, the party shall make an application in writing giving reasons for seeking adjournment to the Stock Exchange sufficiently in advance to enable the Stock Exchange to forward such request to the arbitrators. The arbitrators at their discretion may grant the adjournment in exceptional cases, for reasons, to be recorded in writing.

10. Appellate Arbitral Award on Agreed Terms

If after the appointment of panel of arbitrators, the parties settle the dispute, then the Arbitral Tribunal shall record the settlement in the form of an appellate arbitral award on agreed terms or may dismiss the matter summarily on an application made by the appellant for withdrawal of matter due to settlement with the other party.

11. Making of Appellate Arbitral Award

The award of the Appellate Tribunal shall be in writing and made in three originals duly dated and signed by the panel of arbitrators (by all the three arbitrators), and shall be made within the time mentioned in the Bye-laws.

The panel of arbitrators shall file all the three original awards with the Stock Exchange, which shall arrange to send one original each to the parties to the dispute and the stamped original award shall be retained by the Stock Exchange.

12. Interest

(1) The arbitral tribunal may include in the sum for which the award is made interest at such rate on such sum and for such period as the arbitrators deem reasonable.

(2) A sum directed to be paid by an award shall, unless the award otherwise directs, carry interest at the rate of eighteen per cent per annum from the date of the award to the date of payment.

13. Arbitration Fees and Charges, Costs, etc.

(1) The fees and expenses payable to arbitrators shall be as determined by the Relevant Authority from time to time.

(2) The costs, if any, to be awarded to either of the party in addition to the fees that is paid by the parties for conducting the appellate arbitration shall be decided by the arbitral tribunal.

(3) Unless the arbitrator directs otherwise, each party shall bear their own expenses of traveling and other incidental expenses incurred.

14. Recourse against Appellate Arbitration Award

A party aggrieved by an appellate arbitral award may file an application before the competent, which is nearest to the address provided by the client in the KYC form, challenging it under Section 34 of the Arbitration and Conciliation Act, 1996.

15. Applicability of Chapter XIV

Except where specific provision is made in this Chapter, the provisions of Chapter XIV shall apply *mutatis mutandis* to appellate arbitrators, appellate arbitration proceedings and appellate arbitral award.”

IV. In Chapter XVI (Investor Protection Fund), after Bye-law (10), the following shall be inserted, namely :—

“(10-A) The Trust shall release such interim sums of moneys to the Constituent as may be prescribed by SEBI or the Exchange, to cover whole or part of the admissible claim amount determined or amount awarded by the IGRC under Chapter XIII-A or by the arbitrator under Chapter XIV or by the appellate arbitrator under Chapter XIV-A, pending final determination of their complaint.

(10-B) The Trust shall receive or recover the moneys thus released to the Constituent, either singly or jointly with the Exchange, where the Constituent eventually loses in the arbitration proceedings or other legal proceedings emanating therefrom.

(10-C) The relevant authority may specify from time to time, the procedure for interim release of funds under Bye-law (10-A) and for the recovery thereof under Bye-law (10-B).”

Mumbai,
Dated 8th January 2014.

U. VENKATARAMAN,
CEO-Debt Segment & Whole-time Director.
MCX Stock Exchange Limited.

NASHIK ZILLA PARISHAD, NASHIK

No. ZPN/FD/Books/SAC/294/2013

ABSTRACT OF THE STATEMENT OF ACCOUNTS OF 2012-2013

Receipts			Expenditure		
Sr. No.	Major Head of Accounts	Amount	Sr. No.	Major Head of Accounts	Amount
	Opening Balance	3847432755.72			
(A) Revenue Section			1	President/Chairman/ Vice Chairman.	7611714
1	Taxes and fees	202055	2	General Administration	894038275
2	Local Cess	21889070	3	Education	6163840860
3	Local Rates	256733802	4	Building & Communication	834062412
4	Government Grants	10370269460	5	Irrigation	278132995
5	Other Govt. Grants	0	6	Medical	0
6	Interest	184736197	7	Ayurved	7533771
7	Police	0	8	Public Health	789534582
8	Education	1191688	9	Public Health Engg.	411180547
9	Medical	286500	11	Agriculture	41130182
10	Public Health Engineering	320287	12	Animal Husbandry	212376977
11	Agriculture	50548	13	Forest	1463940
12	Animal Husbandry	3122884	14	Social Welfare	403688741
13	Public Works	3022447	17	Community Development	87959053
14	Pension	0	19	Pension	1480523
15	Miscellaneous	26149409	20	Miscellaneous	730346358
16	Agency Scheme	1067032810	21	Agency Scheme	1244304043
17	Gramin Pani Puravatha	91457059	22	Gramin Pani Puravatha	89082783
18	12th Vitta Ayog	3961	23	12th Vitta Ayog	10542
19	13th Vitta Ayog	729656749	24	13th Vitta Ayog	562138253
	Total Revenue Section	12756124926.00		Total Revenue Section	12759916551
B) Capital Section				Capital Section	
1	Loan Bearing Interest	114928	1	Loan Bearing Interest	0
2	Loan not bearing Interest	0	2	Loan not bearing Interest	0
3	Deposit and Advance	5804099865	3	Deposit and Advance	5746529115
4	Agency Scheme	750160663	4	Agency Scheme	751054964
	Total Capital	6554375456.00		Total Capital	6497584079
5	Remittance (Dist. Fund/ Z.P.Cess/ Agency).	9150400236.00	5	Remittance (Dist.Fund/ Z.P.Cess/ Agency).	9150391836.00
	Total Revenue + Capital Receipt + Remittance	28460900618.00		Total Revenue + Capital Expdr. + Remittance	28407892466.00
	Opening Balance	3847432755.72		Closing Balance	3900440907.72
	Grand Total (Incl. Op. Bal.)	32308333373.72		Grand Total (Incl. Cl. Bal.)	32308333373.72

Nashik,
dated 20th December 2013.

SUKHADEO BANKAR,
Chief Executive Officer,
Zilla Parishad, Nashik.

महाराष्ट्र औद्योगिक विकास महामंडळ

नोटीस

क्र. मऔविम/मुनि/ए-०६०४४/१३

ज्याअर्थी, महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ च्या (यापुढे ज्यांचा उल्लेख “ उक्त अधिनियम ” असा केला आहे.) कलम ४० (१अ) अन्वये महाराष्ट्र औद्योगिक विकास महामंडळास विशेष नियोजन प्राधिकरण म्हणून नियुक्त केले आहे ;

आणि, ज्याअर्थी, उक्त अधिनियमाच्या तरतुदीनुसार प्रदान करण्यात आलेल्या अधिकारांचा आणि याबाबतीत त्यास समर्थ करणा-या सर्व इतर अधिकारांचा वापर करून महामंडळाने घोषित केलेल्या क्षेत्रासाठी सुधारीत विकास नियंत्रण नियमावली (यात यापुढे जिचा निर्देश “ उक्त नियमावली ” असा करण्यात आला आहे.) तयार केली आहे ;

आणि ज्याअर्थी, नगरविकास विभाग, महाराष्ट्र शासनाने उक्त अधिनियमाच्या कलम ११५ (१) अन्वये महाराष्ट्र शासन, नगरविकास विभाग, अधिसूचना क्र. टी. पी. बी/४३०८/४६५/सीआर/६४/०८/युडी-११, दिनांक ३१ ऑगस्ट २००९ याद्वारे नियमावलीस मंजूरी देण्यात आली आहे व उक्त नियमावली दिनांक २४ सप्टेंबर २००९ पासून अंमलात आली आहे ;

आणि, ज्याअर्थी, उक्त नियमावलीमध्ये सुधारणा/फेरबदल करणे इष्ट आहे असे महामंडळास वाटल्याने महाराष्ट्र औद्योगिक विकास महामंडळाच्या संचालक मंडळाची सभा क्र. ३५२, दिनांक २८ ऑगस्ट २०१३ चा ठराव क्र. ५२४६ अन्वये उक्त नियमावलीतील तक्ता क्र. ३ मधील अनुक्रमांक १२ खालीलप्रमाणे समाविष्ट करण्यास व नियम क्र. १८.४.१(जी) खालीलप्रमाणे समाविष्ट करण्यास अनुमती दिली आहे.

Addition to Table No. 3.

Sr. No.	Type of activity	Max. FAR Permissible
12	Commercial in declared IT/BT parks on independent commercial plots.	1.0

Note : Commercial plots may be carved out in declared IT/BT Parks subject to DC Regulation no. 17.3.2 and circular no. MIDC/CP/503/2012, dated 3rd May 2012.

Rule No. 18.4.1 (g) : The Chief Executive Officer may permit the FSI/FAR specified in table no. 3 to be exceeded in respect of commercial buildings on independent commercial plots in declared IT/BT parks by 100% provided that in the case of additional FSI/FAR allowed as aforesaid, premium at the rate of maximum 100% of current MIDC auction / tender rate as per pricing policy for commercial purpose or as decided by MIDC from time to time depending on the market situation shall be recovered. Out of which 25% shall be payable to the Government.

त्याअर्थी, उक्त अधिनियमाच्या कलम ३७, कलम ४० (३) तसेच कलम ११५, पोट-कलम (२) अन्वये महामंडळ महाराष्ट्र शासनाच्या राजपत्रात ही नोटीस प्रसिद्ध झाल्याच्या दिनांकापासून ३० दिवसांच्या मुदतीत सदर प्रस्तावित फेरबदलावर हरकती/सूचना मागविणेसाठी नोटीस प्रसिद्ध करण्यात येत आहे. सदर आक्षेप व सूचना मुख्य नियोजक, मऔविम यांच्या कार्यालयात खालील ठिकाणी लेखी स्वरूपात पाठवाव्यात.

मुख्य नियोजक,
महाराष्ट्र औद्योगिक विकास महामंडळ,
पाचवा स्तर, उद्योग सारथी, महाकाली गुंफा मार्ग,
मरोळ औद्योगिक वसाहत, अंधेरी (पूर्व), मुंबई ४०० ०९३.

विहित मुदतीत आलेल्या हरकती/सूचनांचा विचार करून प्रस्ताव शासन मान्यतेसाठी सादर करण्यात येईल. विहित मुदतीनंतर प्राप्त होणा-या हरकती/सूचनांचा विचार केला जाणार नाही.

मुंबई, दिनांक ६ जानेवारी २०१४.

श्रीरंग लांडगे,
मुख्य नियोजक,
महाराष्ट्र औद्योगिक विकास महामंडळ.

MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION

Notice

No. MIDC/CP/A-06044/13

Whereas the Government of Maharashtra in exercise of the powers conferred by sub-section (1A) of section 40 of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said act") has appointed Maharashtra Industrial Development Corporation (MIDC) as a special Planning Authority ;

And whereas in exercise of the powers conferred by the provision of the said act and all other powers enabling it in this behalf made the Development Control Regulations, (hereinafter referred as "the said regulation"), for the notified areas of MIDC ;

And whereas *vide* section 115(1) of the said Act, the Government of Maharashtra in Urban Development Department has approved the said regulations *vide* notification No. TPB/4308/465/CR-64/08/UD-11, dated 31st August 2009. The said regulation came into force with effect from 24th September 2009;

And whereas it is felt necessary to make some modifications/changes in the said regulations, MIDC board in its board meeting No. 352, dated 28th August 2013 *vide* Resolution No. 5246 has approved to add Sr. No. 12 in Table No. 3 of the said regulation and to add rule No. 18.4.1 (g) in the said regulations as under.

Addition to Table No. 3.

Sr. No.	Type of activity	Max. FAR Permissible
12	Commercial in declared IT/BT parks on independent commercial plots.	1.0

Note : Commercial plots may be carved out in declared IT/BT Parks subject to DC Regulation no. 17.3.2 and circular no. MIDC/CP/503/2012, dated 3rd May 2012.

Rule No. 18.4.1 (g) : The Chief Executive Officer may permit the FSI/FAR specified in table no. 3 to be exceeded in respect of commercial buildings on independent commercial plots in declared IT/BT parks by 100% provided that in the case of additional FSI/FAR allowed as aforesaid, premium at the rate of maximum 100% of current MIDC auction / tender rate as per pricing policy for commercial purpose or as decided by MIDC from time to time depending on the market situation shall be recovered. Out of which 25% shall be payable to the Government.

Therefore, in exercise of the powers conferred by the provisions of section 37, section 40(3) and sub-section (2) of section 115 of the said Act, MIDC publishes notice for inviting objections and suggestions from general public with respect to the proposed amendment and modification to the said regulations not later than thirty days from the date of publication of this notice in the *Maharashtra Government Gazette*. The objections and suggestions in writing shall reach office of the Chief Planner, MIDC having its office at :—

The Chief Planner,
Maharashtra Industrial Development Corporation,
Fifth Level, Udyog Sarathi, Mahakali Caves Road,
Marol Industrial Area, Andheri (East), Mumbai 400 093.

After considering the objections/suggestions received within the stipulated period, a proposal will be submitted to the State Government for approval. The objections/suggestions received after the stipulated period will not be considered.

Mumbai, dated 6th January 2014.

SHRIRANG LANDGE,
Chief Planner, MIDC.

जिल्हा परिषद, चंद्रपूर

क्रमांक वित्त/वाले/टे-१७/१५०९/१३

नमुना २१(ई)

महाराष्ट्र जिल्हा परिषदा व पंचायत समिती अधिनियम, १९६१ चे कलम १३६ व महाराष्ट्र जिल्हा परिषदा व पंचायत समिती
लेखा संहिता १९६८ मधील नियम ६६(अ) (८) आणि (९) अन्वये जिल्हा परिषद व पंचायत समित्यांच्या लेख्यासह
सन २०११-२०१२ या वित्तीय वर्षाचा गोषवारा (सुधारित)

जमा बाजू		खर्च बाजू	
प्रधान लेखाशीर्ष (१)	रक्कम (२)	प्रधान लेखाशीर्ष (१)	रक्कम (२)
महसुली विभाग		महसुली विभाग	
सुरुवातीची शिल्लक	११५१२५९८५८		
१ कर व फी	७७७०२	१ अ-प्रशासन	६३८३२३१
२ स्थानिक उपकर	६६८३४४३४	२ सामान्य प्रशासन	१४५१०८७४७
३ स्थानिक कर	४८३६२१२१	३ शिक्षण	२७३९७५२८२८
४ (क) शासनाकडून प्राप्त अनुदान	०	४ इमारती व दळणवळण	३१०५४६९४२
(अ) नियमित	५८११३००९१०	५ सिंचाई	३२१८२८०८६
(ब) अभिकरण	४७६८६४०८२	६ वैद्यकीय	८७३४४९३
(क) परिषद	०	७ आयुर्वेद	८३६८९४७
(अ) इतर अनुदान	४३५६२५५६	८ सार्वजनिक आरोग्य	४१६८०९३२६
५ व्याज	१२३११५४७	९ आरोग्य अभियांत्रिकी	२४९६५९२९०
७ शिक्षण	७२३४१४२०	१० व्याज	०
८ वैद्यकीय	१५८७५७१	११ कृषी	९२२१७०९५
९ सार्वजनिक आरोग्य अभियांत्रिकी	९९५२३८४८	१२ पशुसंवर्धन	९१८१९४६७
१० कृषी	०	१३ वने	४६०२५३२
११ पशुसंवर्धन	०	१४ समाजकल्याण	११८७३५७०१
१३ सार्वजनिक बांधकाम	५२५०६४२	१७ सामुहिक विकास	२२०६०३५६१
१४ निवृत्ती वेतन	०	१८ संकीर्ण	२०३३०६६९३
१५ संकीर्ण	१८२९६९३	१९ निवृत्ती वेतन	७३३५४४०४३
		२० संकीर्ण	१५९५०५९७८
एकूण महसुली जमा	६६३९८४६५२६	एकूण महसुली खर्च	५८३१५२६९६०
(क) भांडवली जमा		(क) भांडवली खर्च	
१ कर्जे व अग्रिम	९०८६६१	१ कर्जे व अग्रिम	३४९५००
२ ठेवी व अग्रिम	८५२२७५२५३	२ ठेवी व अग्रिम	८३६८०४७८०
एकूण भांडवली जमा	८५३१८३९१४	एकूण भांडवली खर्च	८३७१५४२८०
(ड) वित्तप्रेषण		(ड) वित्तप्रेषण	
एकूण वित्तप्रेषण	४६४०९११४४	एकूण वित्तप्रेषण	४६४५४८४१८२
एकूण महसुली + भांडवली + वित्तप्रेषण इत्यादी	१२१३३९४१५८४	एकूण महसुली + भांडवली + वित्तप्रेषण इत्यादी	११३१४१६५४२२
एकूण सुरुवातीच्या शिल्लकेसह	१३२८५२०१४४२	अखेरची शिल्लक	१९७१०३६०२०
		एकूण अखेरच्या शिल्लकेसह	१३२८५२०१४४२

चंद्रपूर,
दिनांक २ ऑगस्ट २०१३.

मनोहर आवारी,
मुख्य लेखा तथा वित्त अधिकारी,
जिल्हा परिषद, चंद्रपूर.

सी. एस. डहाळकर,
मुख्य कार्यकारी अधिकारी,
जिल्हा परिषद, चंद्रपूर.

मुख्य कार्यकारी अधिकारी, जिल्हा परिषद, चंद्रपूर

क्रमांक वित्त/वाले/टे-१७/२५१०/२०१३

महाराष्ट्र जिल्हा परिषदा व पंचायत समित्या अधिनियम, १९६१ चे कलम १३६ (१) (९) अन्वये मी, सी. एस. डहाळकर, मुख्य कार्यकारी अधिकारी, जिल्हा परिषद, चंद्रपूर याद्वारे सन २०११-२०१२ या वित्तीय वर्षाचे लेखे नमुना २१(ई) मध्ये प्रसिद्ध करित आहे.

चंद्रपूर,
दिनांक २ ऑगस्ट २०१३.

सी. एस. डहाळकर,
मुख्य कार्यकारी अधिकारी,
जिल्हा परिषद, चंद्रपूर.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

The Debtor hereunder mentioned have been adjudged Insolvent in Insolvency Petition No.9 of 2013 on 17th September 2013 by the Hon'ble Insolvency Court.

INSOLVENCY PETITION No. 9 OF 2013

Re. : Sandeep Deepak Chawla, adult Indian inhabitant of Bombay doing business at 24/B Appollo Industrial Estate, off Mahakali Caves Road, Andheri (East) Bombay 400 093 and Residing at Anand Vihar Society, Flat No. 201 Varun Building, 19th "A" Road, Khar (West), Bombay 400 052.

. . Debtor.

The Petition was Presented to this Hon'ble Court on 1st August 2013, by Gopaldas Lilaram Valecha.

. . Petitioning
Creditor.

Dated this 1st October 2013.

D. R. TALEKAR,
Insolvency Registrar,
High Court, Bombay.

रोहा नगरपरिषद, रोहा

क्रमांक रोनप/बांवि/जा.सु./२०५२/२०१३-१४

(महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ चे कलम ३७ अन्वये)

जाहिर सूचना

ज्याअर्थी, रोहा शहराची मंजूर + वाढीव क्षेत्राची सुधारित विकास योजना, शासन नगर विकास विभागाकडील अधिसूचना क्र. टीपीएस-१७०४/४९६/सीआर-२१७/०४/नवि-१२, दिनांक १८ जुलै २००५ रोजी भागशः मंजूर असून दिनांक ११ ऑगस्ट २००५ पासून अंमलात आहे. उर्वरित वगळलेल्या क्षेत्राची विकास योजना शासन अधिसूचना क्र. टीपीएस १७०१/४९६ प्र.क्र. २१७/०४/नवि-१२, दिनांक १२ सप्टेंबर २००६ रोजी मंजूर असून दिनांक ३० ऑक्टोबर २००६ पासून अंमलात आलेली आहे (यापुढे “उक्त विकास योजना” म्हणून संबोधिलेली);

आणि ज्याअर्थी, उक्त मंजूर विकास योजनेत स. क्र. २७४ (भाग) व स.न. ३५६ ही मिळकत आरक्षण क्र. १४ “सेंट्रल ऑफिसेस” करीता आरक्षित आहेत;

आणि ज्याअर्थी, रोहा नगरपरिषदेने सर्वसाधारण सभा ठराव क्र. ३५२ दिनांक २७ नोव्हेंबर २०१३ अन्वये, आरक्षण क्र. १४ “सेंट्रल ऑफिसेस” ऐवजी आरक्षण क्र. १४ “सार्वजनिक सुविधा व सार्वजनिक प्रयोजन (सार्वजनिक उपक्रम)” करणेबाबत व त्यास समुचित प्राधिकरण म्हणून रोहा नगरपरिषद जाहिर करणेस महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ चे कलम ३७ अन्वये फेरफार करणेची कार्यवाही करणेचे ठरविले आहे (यापुढे “उक्त फेरफार” म्हणून संबोधिलेला).

आणि त्याअर्थी, उक्त फेरफाराच्या अनुषंगाने या जाहिर सूचनेद्वारा जनतेकडून हरकती व सूचना मागविणेत येत आहेत. हरकती व सूचना लेखी स्वरूपात निम्न स्वाक्षरीकार यांचे नांव ही जाहिर सूचना शासकीय राजपत्रात प्रसिद्ध झाल्यापासून ६० दिवसांचे आंत कार्यालयीन कामकाजाचे वेळेत सादर कराव्यात, म्हणजे त्याचा विचार फेरफार प्रस्ताव शासनाकडे मंजूरीसाठी पाठविताना केला जाईल. मुदतीनंतर आलेल्या हरकती व सूचनांचा विचार केला जाणार नाही. वरील प्रस्तावित फेरबदल दर्शविणारा नकाशा नगरपरिषदेच्या कार्यालयामध्ये कार्यालयीन वेळेत व दिवशी अवलोकनार्थ ठेवणेत आलेला आहे.

रोहा,
दिनांक २१ डिसेंबर २०१३.

बाळासाहेब ग. चव्हाण,
मुख्याधिकारी,
रोहा नगरपरिषद.

अवधूत अ. तटकरे,
नगराध्यक्ष,
रोहा नगरपरिषद.

ROHA MUNICIPAL COUNCIL

No. RMC/CD/PN/2052/2013-14

(Under section 37 of Maharashtra Regional & Town Planning Act, 1966)

Notice

Whereas, the revised sanctioned + extended areas Development plan of Roha has been sanctioned by Government in Urban Development Department *vide* Notification No. TPS/1704/496/CR-217/04/ UD-12, dated 18th July, 2005 and came into force with effect from 10th October 2005 and excluded areas Development plan sanctioned *vide* Notification No. TPS 1701/496 CR-217/04/UD-12, dated 12th September 2006 and came into force from 30th October 2006 (hereinafter referred to as “the said Development Plan”);

And whereas, S. No. 274(p) and S.No.356 have been reserved for “Central Offices” Reservation No. 14 in the said Development Plan;

And whereas, Municipal Council *vide* its Resolution No. 352, dated 27th November 2013 has decided to do Reservation No. 14 “Public Facility and Public Utility (Public purpose)” instead of “Central Offices” and to declare Roha Municipal Council as Implimating agency for the same under section 37 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “said modifications”).

Now, therefore, in pursuance of sub-section (1) of section 37 of the Maharashtra Regional and Town Planning Act, 1966, suggestions and objections, if any, with reference to the above proposed modifications are invited in writing from the public within sixty (60) days from publications of this notification of the notice in *Government Gazette* and these suggestions and objections would be considered by the Municipal Council at the time of submitting the proposed modification to the government for sanction. Suggestions and objection not received in the prescribed time limit will not be considered by Municipal Council.

Part Plan showing the proposed modification to the “said Development plan” is kept open for the inspection of the public in the Municipal Council office during the working days and working hours.

Roha,
Dated 21st December 2013.

BALASAHEB CHAVAN,
Chief Officer,
Roha Municipal Council.

AVDHUT A. TATKARE,
President,
Roha Municipal Council.

Serial No. 287

Notice

Notice is hereby given that certificates for 4 Shares of Rs. 100 each bearing Nos. 7729982/985 under folio No. U11850 of ACC Limited standing in the name(s) of Umeshkumar Himatlal Patel has/have been lost or misplaced and the undersigned has/have applied to the Company to issue duplicate certificate(s) for the said shares.

Any person(s) in possession of the said share certificates or having any claim(s) to the said shares should notify to and lodge such claim(s) with the Share Department of the Company at Cement House, 121, Maharshi Karve Road, Mumbai 400 020, within one month from the date of publication of this Notice after which period no claims will be entertained and the Company will proceed to issue duplicate share certificates.

Place : Mumbai,
dated 14th August 2013.

UMESHKUMAR HIMATLAL PATEL.

महाराष्ट्र शासन राजपत्र, भाग दोन-संकीर्ण सूचना व जाहिराती,
गुरुवार ते बुधवार, जानेवारी १६-२२, २०१४/पौष २६-माघ २, शके १९३५

विक्रीकर सहआयुक्त (व्हॅट-प्रशासन), नाशिक विभाग, नाशिक यांचे कार्यालय

विक्रीकर भवन, प्रशांतनगर, पाथर्डी फाटा, नाशिक-१०.

अधिसूचना

[केंद्रीय विक्रीकर कायदा (मुंबई) नियम, १९५७ च्या नियम ४अ पैकी पोट-नियम (७) प्रमाणे]

क्रमांक नावि/विसआ/आस्था-४/सी-नमुने/अवैध/२०१३/ब-३४९२

ज्याअर्थी, व्यापारी मे. कोब्रा इन्स्टोलेशन वाय सर्व्हिसेस, एस. ए. मधुरा टॉवर, शला मजला, प्लॉट नं. ७ व ८, सिटी सेंटर मॉलच्या बाजूला, उंटवाडी रोड, सिडको, नाशिक ४२२ ००९. केंद्रीय विक्रीकर कायदा नोंदणी दाखला टीन क्रमांक २७३७०६६१६२४ व्ही/सी यांचेकडून कळविण्यात आले आहे की, मध्यवर्ती विक्रीकर अधिनियम, १९५६ कलम ८ पैकी पोट-कलम (४) प्रमाणे त्यांना मंजूर करण्यात आलेले घोषणापत्रे नमुना 'सी' क्रमांक एमएच-१०/०७२९७५० (एकूण ०१ घोषणापत्र 'सी') हे गहाळ झाले आहे. त्यांनी स्थानिक वर्तमानपत्र 'लोकमत' शुक्रवार, दिनांक २६ जुलै २०१३ आणि 'लोकमत टाइम्स', शुक्रवार, दिनांक २६ जुलै २०१३ मध्ये तशा प्रकारची जाहिरात दिली आहे.

त्याअर्थी, मी, सु. प. काले, विक्रीकर सहआयुक्त (व्हॅट-प्रशा.), नाशिक विभाग, नाशिक, मध्यवर्ती विक्रीकरच्या नियम ४अ पैकी पोट-नियम (७) अन्वये विहित केलेल्या अधिकारांचा वापर करून असे जाहीर करतो की, सदरहू नमुना एमएच-१०/०७२९७५०, (एकूण ०१ घोषणापत्र 'सी') अवैध ठरविण्यात आले आहे.

सु. प. काले,

विक्रीकर सहआयुक्त (व्हॅट-प्रशासन),

नाशिक विभाग, नाशिक.

नाशिक, दिनांक ३ आक्टोबर २०१३.

**OFFICE OF THE JOINT COMMISSIONER OF SALES TAX (VAT-ADM.)
NASHIK DIVISION, NASHIK**

Vikrikar Bhavan, Prashant Nagar, Pathardi Phata, Nashik-10

NOTIFICATION

[Under Sub-Rule (7) of Rule 4A of the Central Sales Tax (Bombay) Rules, 1957]

No. ND/JCST/'C' Forms/invalid/2013/B-3492

Whereas, it has been reported by M/s. Cobra Instalaciones Y Servicious, S. A. Madhura Tower, 1st Floor, Plot No. 7 & 8, B/H-City Centre Mall, Untwadi Road, Cidco, Nashik 422 009. Holder Tin No. 27370661624 C/V that the, declaration referred to in sub-section (4) of section 8 of Central Sales Tax Act, 1956 (LXXIV) of 1956 in form "C" issued to them bearing number MH-10/0729750 (Total 01 declaration in "C" form) have been lost. The advertisement was given in local newspaper of 'Lokmat', Friday, dated 26th July 2013 and 'Lokmat Times', Friday, dated 26th July 2013.

I, S. P. Kale, Joint Commissioner of Sales Tax, Nashik Division, Nashik in exercise of the powers vested in me under sub-rule (7) of rule 4A of CST (Bombay) Rules, 1956 hereby declare that the said declarations in form "C" bearing number MH-10/0729750 (Total 01 declaration in "C" form) should be considered as invalid.

S. P. KALE,

Joint Commissioner of Sales Tax
(VAT-Adm.), Nashik Division, Nashik.

Nashik, dated 3rd October 2013.

विक्रीकर सहआयुक्त (व्हॅट-प्रशासन), नाशिक विभाग, नाशिक यांचे कार्यालय

विक्रीकर भवन, प्रशांतनगर, पाथर्डी फाटा, नाशिक-१०.

अधिसूचना

[केंद्रीय विक्रीकर कायदा (मुंबई) नियम, १९५७ च्या नियम ४अ पैकी पोट-नियम (७) प्रमाणे]

क्रमांक नावि/विसआ/आस्था-४/सी-नमुने/अवैध/२०१३/ब-३५०३

ज्याअर्थी, व्यापारी मे. ओमकारा इम्पेक्स अॅण्ड मर्चनडाइस प्रा. लि., सर्व्हे नं. २९०, सामनगाव, नाशिक. केंद्रीय विक्रीकर कायदा नोंदणी दाखला टिन क्रमांक २७२२०६५१२७९ व्ही/सी यांचेकडून कळविण्यात आले आहे की, मध्यवर्ती विक्रीकर अधिनियम, १९५६ कलम ८ पैकी पोट-कलम (४) प्रमाणे त्यांना मंजूर करण्यात आलेले घोषणापत्रे नमुना सी क्रमांक एमएच-१२/०१९३९१, एमएच-१२/०१९३९२, एमएच-१२/०१९३९३ आणि एमएच-१२/१९५११ (एकूण ०४ घोषणापत्रे सी) हे गहाळ झाले आहे. त्यांनी स्थानिक वर्तमानपत्र 'वेस्टर्न टाइम्स,' अहमदाबाद, दिनांक २० ऑगस्ट २०१३ आणि 'संदेश,' अहमदाबाद, दिनांक २० ऑगस्ट २०१३ मध्ये तशा प्रकारची जाहिरात दिली आहे.

त्याअर्थी, मी, सु. प. काले, विक्रीकर सहआयुक्त (व्हॅट-प्रशा.), नाशिक विभाग, नाशिक मध्यवर्ती विक्रीकरच्या नियम ४अ पैकी पोट-नियम (७) अन्वये विहीत केलेल्या अधिकारांचा वापर करून असे जाहीर करतो की, सदरहू नमुना एमएच-१२/०१९३९१, एमएच-१२/०१९३९२, एमएच-१२/०१९३९३ आणि एमएच-१२/१९५११ (एकूण ०४ घोषणापत्रे सी) अवैध ठरविण्यात आले आहे.

सु. प. काले,

विक्रीकर सहआयुक्त (व्हॅट-प्रशासन),

नाशिक विभाग, नाशिक.

नाशिक, दिनांक ४ आक्टोबर २०१३.

**OFFICE OF THE JOINT COMMISSIONER OF SALES TAX (VAT-ADM.)
NASHIK DIVISION, NASHIK**

Vikrikar Bhavan, Prashant Nagar, Pathardi Phata, Nashik-10

NOTIFICATION

[Under Sub-Rule (7) of Rule 4A of the Central Sales Tax (Bombay) Rules, 1957]

No. ND/JCST/C' Forms/invalid/2013/B-3503

Whereas, it has been reported by M/s. Omkara, Impex and Merchandise Pvt. Ltd., C/o. Yuvraj K. Jagtap, Survey No. 290, A/P-Samangaon, Eklahare, Nashik. Holder Tin No. 27220651279 C/V that the, declaration referred to in sub-section (4) of sec. 8 of Central Sales Tax Act, 1956 (LXXIV) of 1956 in form "C" issued to them bearing Number MH-12/ 019391, MH-12/019392, MH-12/019393 and MH-12/019511 (Total 04 declaration in "C" form) have been lost. The advertisement was given in local Newspaper of 'Western Times', Ahmedabad, Tuesday, dated 20th August 2013 and 'Sandesh' Ahmedabad, dated 20th August 2013.

I, S. P. Kale, Joint Commissioner of Sales Tax, Nashik Division, Nashik in exercise of the powers vested in me under sub-rule (7) of rule 4A of CST (Bombay) Rules, 1956 hereby declare that the said declarations in form "C" bearing Number MH-12/ 019391, MH-12/019392, MH-12/ 019393 and MH-12/019511 (Total 04 declaration in "C" form) should be considered as invalid.

S. P. KALE,

Joint Commissioner of Sales Tax

(VAT-Adm.), Nashik Division, Nashik.

Nashik, dated 4th October 2013.

विक्रीकर सहआयुक्त (व्हॅट-प्रशासन), औरंगाबाद विभाग, औरंगाबाद यांचे कार्यालय

विक्रीकर भवन, पहिला मजला, रेल्वे स्टेशनसमोर, औरंगाबाद

अधिसूचना

[केंद्रीय विक्रीकर (मुंबई) नियम, १९५७ च्या नियम ४अ पैकी पोट-नियम (७) प्रमाणे]

क्रमांक विसआ/व्हॅट-प्रशा./औबाद विभाग/‘क’ नमुने गहाळ/अवैध/२०१३/ब-२०६९

ज्याअर्थी, व्यापारी मे. स्कोडा अॅटो इंडिया प्रा. लि., औरंगाबाद केंद्रीय विक्रीकर कायदा नोंदणी दाखला/टीन क्रमांक २७०६०००००१२ सी यांचेकडून कळविण्यात आले आहे की, मध्यवर्ती विक्रीकर अधिनियम, १९५६ चे कलम ८ पैकी पोट-कलम (४) प्रमाणे त्यांना मंजूर करण्यात आलेले घोषणापत्र नमुना ‘ई-१’ क्रमांक एम.एच.-०७/००१४५६७, एम.एच.-०७/००१४७०९, एम.एच.-०७/००१४७१० व एम.एच.-०७/००१४७११ हे गहाळ झाले आहेत. व्यापा-याने “दै. नवशक्ती” मुंबई दिनांक १२ ऑगस्ट २०१३ व “द फ्री प्रेस जनरल” मुंबई दिनांक १२ ऑगस्ट २०१३ रोजी तशा प्रकारची जाहिरात दिली असून ती प्रकाशित झाली आहे.

तसेच सदर जाहिरात व्यापा-याने या कार्यालयास सादर केलेली आहे. ‘ई-१’ नमुना गहाळ झालेबाबत व्यापा-याने दिनांक २२ ऑगस्ट २०१३ रोजी पोलीस ठाणे, अंधेरी, ठाणे, मुंबई येथे तक्रार नोंदविली असून, त्याबाबतचा पुरावा सादर केलेला आहे. तसेच व्यापा-याने दिनांक २२ ऑगस्ट २०१३ रोजी नुकसानभरपाई संबंधातील विहित नमुन्यात हमीपत्र सादर केले आहे.

त्याअर्थी, मी, निरुपमा डांगे (भा.प्र.से.), विक्रीकर सहआयुक्त (व्हॅट-प्रशा.), औरंगाबाद विभाग, औरंगाबाद मध्यवर्ती विक्रीकर (मुंबई), १९५७ चे नियम ४अ पैकी पोट-नियम (७) अन्वये विहित केलेल्या अधिकारांचा वापर करून असे जाहीर करते की, सदरहू नमुना ‘ई-१’ क्रमांक एम.एच.-०७/००१४५६७, एम.एच.-०७/००१४७०९, एम.एच.-०७/००१४७१० व एम.एच.-०७/००१४७११ रद्द ठरविण्यात येत आहे.

औरंगाबाद,
दिनांक १५ ऑक्टोबर २०१३.

डॉ. निरुपमा डांगे,
विक्रीकर सहआयुक्त (व्हॅट-प्रशासन),
औरंगाबाद विभाग, औरंगाबाद.

**OFFICE OF THE JOINT COMMISSIONER OF SALES TAX (VAT-ADM.),
AURANGABAD DIVISION, AURANGABAD**

Vikrikar Bhavan, First Floor, Opp. Rly. Station, Aurangabad 431 005

NOTIFICATION

[Under sub-rule (7) of Rule 4A of the Central Sales Tax (Bombay) Rules, 1957]

No. JCST (VAT-Adm.)/A'bad Div./Loss of 'C' form/Invalid/2013/B-2069

Whereas, it has been reported by M/s. Skoda Auto India Pvt. Ltd., Aurangabad holder of TIN No. 27060000012C Under the Central Sales Tax Act, 1956 that, the declaration referred to in sub-section (4) of section 8 of the Central Sales Tax Act, 1956 in Form “E-1” bearing No. MH-07/0014567, MH-07/0014709, MH-07/0014710 and MH-07/0014711 issued to the said dealer by the Sales Tax Officer, Central Repository, Aurangabad has been lost to that effect, the dealer has given advertisement in Newspaper “Navshakti”, Mumbai dated 12th August 2013 and “The Free Press Journal” Mumbai, on dated 12th August 2013. The said dealer has submitted the copies of the Newspapers to this office. The dealer has lodged complaint regarding loss of said “E-1” Form in Andheri Police Station, Thane, Mumbai on 22nd August 2013. The dealer has also submitted Indemnity Bond dated 22nd August 2013.

Therefore, I, Nirupama Dange (I.A.S.), Joint Commissioner of Sales Tax (VAT-Adm.), Aurangabad Division, Aurangabad in exercise of the powers vested in me under sub-rule (7) of rule 4A of Central Sales Tax (Bombay) Rules, 1957 hereby declare that, the said declaration in Form “E-1” bearing Sr. No. MH-07/0014567, MH-07/0014709, MH-07/0014710 and MH-07/0014711 should be treated as invalid.

Aurangabad,
dated the 15th October 2013.

DR. NIRUPAMA DANGE,
Joint Commissioner of Sales Tax (VAT-Adm.),
Aurangabad Division, Aurangabad.

विक्रीकर सहआयुक्त (व्हॅट-प्रशासन), पुणे विभाग, पुणे यांचे कार्यालय

विक्रीकर भवन, दुसरा मजला, येरवडा, पुणे ४११ ००६.

अधिसूचना

[केंद्रीय विक्रीकर (मुंबई) नियम, १९५७ च्या नियम ४अ पैकी पोट-नियम (७) प्रमाणे]

क्रमांक विसआ/व्हॅट/पुणे/ 'ई-१' नमुना/१३-१४/ब-३६३५

याअर्थी मे. ट्रॅन्टर इंडिया प्रा. लि., गट नं. १२७/१२८, दिंग्रजवाडी, पुणे-नगर रोड, पुणे ४१२ २०८. मूल्यवर्धित कर कायदा २००२, अन्वये नोंदणी दाखला क्र. २७४१०५१४०६५-व्ही, आणि केंद्रीय विक्रीकर कायदा, १९५६ अन्वये नोंदणी दाखला क्र. २७४१०५१४०६५-सी यांजकडून असे कळविण्यात आले की, मध्यवर्ती विक्रीकर अधिनियम, १९५६ कलम ८ पैकी पोट-कलम (४) (एलएक्सएक्सआयव्ही) प्रमाणे या व्यापा-याचा 'ई-१' नमुना क्रमांक एमएच-०९/००९७३८९, (एकूण १ 'ई-१' नमुना) हरविलेला आहे. त्याकरिता त्यांनी दिनांक १७ सप्टेंबर २०१३ रोजीच्या मराठी वर्तमानपत्र 'पुण्य नगरी', पुणे व दिनांक १७ सप्टेंबर २०१३ रोजीच्या 'सकाळ टाईम्स', या इंग्रजी वर्तमानपत्रात जाहिरात देऊन त्या वर्तमानपत्रांची कात्रणे या कार्यालयास सादर केलेली आहेत. तसेच त्यांनी प्रतिज्ञापत्र सादर करून 'ई-१' नमुना मिळाला नसल्याचे नमूद केले असून रुपये २५,२८,७२२ इतक्या रकमेचा इन्डेमनिटी बॉन्ड सादर केलेला आहे.

वरील सर्व बाबीस अनुसरून मी, श्रीमती चित्रा कुलकर्णी, विक्रीकर सहआयुक्त, व्हॅट प्रशासन, पुणे केंद्रीय विक्रीकर (मुंबई) नियम १९५७ च्या नियम (४अ) मधील पोटनियम (७) अन्वये विहित केलेल्या अधिकाराचा वापर करून असे जाहीर करते की, 'ई-१' नमुना क्रमांक एमएच-०९/००९७३८९, (एकूण १ 'ई-१' नमुना) रद्द ठरविण्यात आला आहे.

चित्रा कुलकर्णी,

विक्रीकर सहआयुक्त (व्हॅट-प्रशासन),
पुणे विभाग, पुणे.

पुणे, दिनांक २२ ऑक्टोबर २०१३.

**OFFICE OF THE JOINT COMMISSIONER OF SALES TAX (VAT ADM.),
PUNE DIVISION, PUNE**

Vikrikar Bhavan, 2nd Floor, Airport Road, Yerwada, Pune 411 006.

NOTIFICATION

[Under Sub-Rule (7) of the Rule 4A of the Central Sales Tax (Bombay) Rules, 1957]

No. JCST/VAT/Adm/Pune/Dupl. 'E-1' Form/13-14/B-3635

Whereas, it has been reported by M/s. Tranter India Pvt. Ltd., Gat No. 127/128, Dingrajwadi, Pune-Nagar Road, Pune 412 208; holder of Tin No. 27410514065-V under the MVAT Act, 2002, and Tin No. 27410514065-C under the Central Sales Tax Act, 1956, that the declarations referred in sub-section (4) of section 8 of the Central Sales Tax Act, 1956, (LXXIV) of 1956 in Form 'E-1' issued to them bearing No. MH-09/0097389, (Total 1 'E-1' Form) have been lost and to that effect the dealer has given advertisement in Marathi newspaper 'Punyanagari', Pune, dated 17th September 2013 and Engilsh newspaper 'Sakal Times', Pune, dated 17th September 2013 and forwarded the newspaper cutting to this office, also submitted Indemnity Bond of Rs. 25,28,722.

Therefore in view of the above, I, Chitra Kulkarni, Joint Commissioner of Sales Tax (Vat Adm.), Pune in exercise of the powers vested in me under sub-rule (7) of Rule 4 (A) of the Central Sales Tax (Bombay) Rules, 1957 hereby declare that the said 'E-1' Form declarations bearing No. MH-09/0097389, (Total 1 'E-1' Form) is treated as invalid.

CHITRA KULKARNI,

Joint Commissioner of Sales Tax (VAT-ADM),
Pune Division, Pune.

Pune,
dated the 22nd October 2013.

महाराष्ट्र शासन राजपत्र, भाग दोन-संकीर्ण सूचना व जाहिराती,
गुरुवार ते बुधवार, जानेवारी १६-२२, २०१४/पौष २६-माघ २, शके १९३५

IN THE HIGH COURT AT BOMBAY

OFFICIAL ASSIGNEE REPORT No. 10 OF 2013

IN

RULE NISI NO. 4 OF 2013

IN

INSOLVENCY PETITION No. 13 OF 2008

Re. : (1) M/s. Jayshree Silk Mills, a Partner Firm having its office at Room No.21, 2nd Floor, 114/118, Manek Bhavan, Cavel Street, Mumbai 400 002.

(2) Raman Patel

(3) Suresh Patel

(4) Arvind Patel

(5) Ramesh Patel

(6) Manoj Patel

(7) Rohit Patel

(8) Manish Patel

All of Mumbai carrying on business as partner of M/s. Jayashree Silk Mills at and from Room No.21, 2nd Floor, 114/118, Manek Bhavan, Caval Street, Mumbai 400 002 and residing at Block No.6, 2nd Floor, Shiv Shakti Building, Mahesh Park, Gokul Nagar, Bhiwandi, Dist. Thane.

. . Insolvents.

To,

(1) M/s. Jayshree Silk Mills, a Partnership Firm

(2) Raman Patel

(3) Suresh Patel

(4) Arvind Patel

(5) Ramesh Patel

(6) Manoj Patel

(7) Rohit Patel

(8) Manish Patel

Room No. 21, 2nd Floor, 114/118, Manek Bhavan, Caval Street, Mumbai 400 002 and residing at Block No.6, 2nd Floor, Shiv Shakti Building, Mahesh Park, Gokul Nagar, Bhiwandi, Dist. Thane.

. . The Insolvents abovenamed.

TAKE NOTICE that you are hereby required to appear before this Honourable Court on the 21st day of January, 2014 at Eleventh of the clock in the forenoon either in person or by Advocate, and show cause, if any, you have, why the Order of Adjudication made against you should not be annulled or such other order as the Court may think fit should not be made for want of prosecution on your part.

Dated this 6th day of January, 2014.

D. R. TALEKAR,
Insolvency Registrar.